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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/604,632	06/27/2000	Hirokazu Nagasawa	450100-02579	3984

20999 7590 03/14/2003

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EXAMINER

PEYTON, TAMMARA R

ART UNIT	PAPER NUMBER
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2182

DATE MAILED: 03/14/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/604,632

Applicant(s)

NAGASAWA ET AL.

Examiner

Tammara R Peyton

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 June 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 6.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

1. Claims 1-4 and 6-9 are rejected under 35 U.S.C. 102(e) as being anticipated by *Godau et al.*, (US 6,407,554).
2. As per claims 1 and 6, *Godau* teaches a signal input and output apparatus for issuing a control signal from a signal processor (CPU/adaptor unit, Fig. 1) to the outside by a controller (CPU/adaptor unit, Fig.1) through a transmission path (via plug 10,

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Fig.1), and controlling said signal processor by said controller on the basis of a control signal entered from the outside, comprising:

- signal discrimination changeover means for discriminating the type of the control signal entered through the transmission path, generating a discrimination signal, supplying into said controller, and changing over the control of said signal processor to said controller on the basis of the discrimination signal, wherein
- input and output of plural control signals are processed through a single transmission path.

3. *Godau* teaches a diagnostic tester consisting of a CPU and adapter unit for different types of motor vehicles. Each motor vehicle outputs a specific signal to the diagnostic tester. Depending upon the signals applied to a plug contact between each motor vehicle and adapter unit, a discrimination means determine which of six drivers (T1 to T4) will be assigned to the currently connected motor vehicle. (Abstract, col. 3, lines 5-col. 5, lines 1-52)

4. As per claims 2 and 7, *Godau* teaches wherein the plurality control signals are individually different in input and output levels.

5. As per claims 3 and 8, *Godau* teaches wherein discrimination of the type of the control signals in said signal discrimination changeover means is carried out on the

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basis of the level of the control signal at a coupling to said signal discrimination
changeover means of the transmission path for an input and output of control signals.

(col.4, lines 45-col. 5, lines 1-8)

6. As per claims 4 and 9, *Godau* teaches said signal discrimination changeover means changes over the control system of the control signal of a type other than the one discriminated according to the discrimination signal so as to be inactive.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 1-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over *Kojima*, (JP407262759A, Published 10/13/95).

8. As per claims 1 and 6, *Kojima* teaches a signal input and output apparatus for issuing a control signal from a signal processor (discrimination/distinction circuit, 2) to the outside by a controller (discrimination/distinction circuit, 2 + control section, 8).
Kojima teaches of a signal discrimination changeover means (discrimination/distinction

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circuit, 2) for discriminating the type of the control signal entered through the transmission path, generating a discrimination signal, supplying into said controller (drawing 1), and changing over the control of said signal processor to said controller on the basis of the discrimination signal, wherein input and output of plural control signals are processed through a single transmission path. (*Kojima*, See Abstract, Translation)

9. *Kojima* teaches a signal input and output apparatus that discriminates the type of control signal received through a transmission path. Specifically, the type of signal that is discriminated is based on a plug that is currently inserted in the signal input and output apparatus. Each plug outputs different control signals through a single transmission path, and depending upon the type of plug inserted the signal input and output apparatus will automatically switch control to a specified control section.

10. As per claims 4 and 9, *Kojima* teaches said signal discrimination changeover means changes over the control system of the control signal of a type other than the one discriminated according to the discrimination signal so as to be inactive.

11. As per claims 5 and 10, *Kojima* does not teach wherein one of said plural control signals is an RS-232C signal. However, it would have been obvious to one of ordinary skill that it would not be out of the scope of *Kojima's* invention to be implemented utilizing a host of other signals. Doing so would add and expand the flexibility of *Kojima's* signal input and output apparatus.

12. Claims 2, 3, 7, and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over *Kojima*, (JP407262759A, Published 10/13/95) and *Watanabe*, (JP359094101, Published 05/30/84)

13. As per claims 2, 3, 7, and 8, *Kojima* teaches that the discrimination/distinction circuit, 2 discriminates the type of the control signal entered through the transmission path, therefore, it would have been obvious to one of ordinary skill that the input and output levels are individually different. However, *Watanabe* teaches of discriminating between high and low level signals of a connected peripheral and automatically switching to a control center part, depending upon the level of the received signal. (*Watanabe*, Abstract)

14. It would have been obvious to one of ordinary skill to implement the discriminating part of *Watanabe*, which would allow for the level of the input and output signals to be determined, to *Kojima*'s discrimination/distinction circuit. Doing so would further expand the flexibility of *Kojima*'s discrimination/distinction circuit when determining the type of signal received on the transmission path.

Conclusion

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tammara Peyton whose telephone number is (703) 306-5508. The examiner can normally be reached between 6:30 - 4:00 from Monday to Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffrey A. Gaffin, can be reached on (703) 308-3301. The fax phone number for the organization where this application or proceeding is assigned is (703) 305-3718. Any inquiry of a general nature of relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-3900.

Mailed responses to this action should be sent to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231.

Faxes for Official/formal communications intended for entry should be sent to:

(703) 746-7238, After Final (703) 746-7239

or, for informal or draft communications, to:

(703) 746-7240 (please label "PROPOSED" or "DRAFT").

Hand-delivered responses should be brought to:

Crystal Park II, 2121 Crystal Drive, Arlington, VA, Sixth Floor

(Receptionist).

Tammara Peyton

March 3, 2003


JEFFREY GAFFIN
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100